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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Horne.

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DIGEST

SB 216 Engrossed

2015 Regular Session

Morrish

Present law requires the Dept. of Ins. to be comprised of the office of the commissioner, the office of management and finance, the office of property and casualty, the office of licensing and compliance, the office of financial solvency, the office of consumer advocacy, the office of health insurance, the division of insurance fraud, the division of legal services, the division of public affairs, the division of minority affairs, and any other office or division that may be included in present law.

Proposed law changes the office of health insurance to the office of health, life, and annuity. Adds the office of consumer services and removes the division of minority affairs as part of the composition of the department.

Present law provides for the division of minority affairs with the functions and duties which include the requirement to develop a pilot program that seeks to address the needs and concerns of minority and women producers in the state.

Proposed law deletes the pilot program provisions.

Proposed law requires the division of diversity and opportunity to review all complaints alleging a violation of the provisions of present law with regard to equal opportunity in insurance. Further requires the division of diversity and opportunity to notify an insurer against whom a complaint was filed of the nature of the complaint and provide the insurer with the opportunity to make a written explanation.

Proposed law requires the division of diversity and opportunity to report apparent violations of present law to the commissioner who may commence enforcement proceedings in accordance with present law.

Present law creates an advisory committee on equal opportunity within the department with the function to review all complaints alleging a violation of the provisions of present law with regard to equal opportunity in insurance.

Proposed law removes this review function.

Present law creates a deputy commissioner of minority affairs appointed by the commissioner who serves at the pleasure of the commissioner at a salary fixed by the commissioner and requires Senate confirmation of the appointment.

Proposed law deletes these provisions and creates the division of consumer services under the direction of the deputy commissioner of consumer services. Provides that the duties and functions

of the division and the deputy commissioner shall be responsible for the receipt and processing of consumer complaints, market conduct analysis and examination, and such additional duties and functions as are assigned by the commissioner.

Proposed law creates the office of health, life and annuity with the responsibility for the development and administration of health insurance pilot programs, research and development of rules and regulations to implement health insurance reform legislation, research and development of health insurance reform measures that broaden the availability of health insurance coverage in the state, liaison activities for the Depart. of Ins. with other state and national agencies for policy on health insurance, preparation of proposed health insurance reform legislation by the department; general research and implementation issues concerning health insurance policy, approval of life and annuity form filings, and additional duties and functions as assigned by the commissioner.

Present law provides for the office of consumer advocacy in the department which is under the direction of the deputy commissioner for consumer advocacy who is appointed by the commissioner with advice and concurrence of the Senate and House committees on insurance.

Present law requires the salary and benefits of the deputy commissioner for consumer advocacy to be the same as the majority of the deputy commissioners of the department.

Proposed law requires the salary of the deputy commissioner for consumer advocacy and diversity not to exceed the amount approved for the position by the legislature.

Present law permits the deputy commissioner for consumer advocacy to be terminated without cause shown. Further requires a written report of termination to be compiled by the commissioner and delivered to the clerk of the House of Representatives and the secretary of the Senate at least ten days before the termination.

Proposed law requires the deputy commissioner for consumer advocacy and diversity to be responsible for the functions of the division of minority affairs within the department. Further requires an assistant commissioner of diversity and opportunity to be appointed by the commissioner who shall serve at the pleasure of and at a salary fixed by the commissioner, which salary shall not exceed the amount approved by the legislature.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 22:3, 32(C), 33(A)(intro para), R.S. 36:681(C)(1), 687, 691.1, 692, 694, 696(A), (B)(1)(a) and (b), and (C); adds R.S. 22:31(C) and (D); repeals R.S. 22:31(6), 32(D) and (E), and R.S. 36:696(B)(1)(e))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Insurance to the original bill

1. Changes the division of minority affairs to the division of diversity and opportunity.

2. Changes the office of consumer advocacy to the office of consumer advocacy and diversity.
3. Creates the position of an assistant commissioner of diversity and opportunity.
4. Makes technical changes.